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LONG ISLAND OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ROBERT COCHRAN, 11010881,

Plaintiff,

-against-

ORDER

12-CV-5001 (SJF)(GRB)

ARMOR CORRECTIONAL HEALTH, INC.,

Defendant.
-----X

FEUERSTEIN, District Judge:

On October 4, 2012, incarcerated *pro se* plaintiff Robert Cochran ("plaintiff") filed a civil rights complaint in this Court pursuant to 42 U.S.C. § 1983 ("Section 1983") against defendant Armor Correctional Health, Inc. ("Armor" or "defendant"), accompanied by an application to proceed *in forma pauperis*. By order dated January 14, 2013, plaintiff's application to proceed *in forma pauperis* was granted, but the complaint was *sua sponte* dismissed with prejudice pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1) for failure to state a claim for relief unless plaintiff filed an amended complaint in accordance with that order on or before February 18, 2013. Since plaintiff has not filed an amended complaint in accordance with the January 14, 2013 order to date, the complaint is *sua sponte* dismissed with prejudice pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1) for failure to state a claim for relief.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

SO ORDERED.

s/ Sandra J. Feuerstein

Sandra J. Feuerstein
United States District Judge

Dated: November 6, 2013
Central Islip, New York